

Applicant : Sara Lavi
Serial No.: 09/029,479
Filed : October 21, 1998
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lines 35-36; claim 85: page 21, line 33; page 45, lines 5-9; claims 86-87: page 21, line 12 and 33; claim 88: page 16, lines 24-25 and page 20, line 25; claims 89-91: page 16, lines 30-36. The remaining changes to the claims merely introduce minor grammatical and format changes. In making these amendments, applicant neither concedes the correctness of the Examiner's rejections, nor abandons her right to pursue in a continuing application embodiments of the instant invention no longer claimed in this application. Applicant maintains that these amendments raise no issue of new matter, and respectfully requests entry of this Amendment. Upon entry of this Amendment, claims 77-84 will be pending and under examination.

In view of the amendments to the claims, applicant maintains that the Examiner's rejections have been overcome and respectfully requests that the Examiner reconsider and withdraw same.

Rejection of Claims Under 35 U.S.C. §112, First Paragraph

The Examiner rejected claims 65 and 68-76 under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In response to the Examiner's rejection, but without conceding the correctness thereof, applicant points out that claims 65 and 68-76 have been canceled. Thus, the rejection thereof is now moot.

In addition, applicant notes that new claims 77-91 provide methods which treat specific cancers, i.e. breast, colon and liver cancer, and not cancer generally. Applicant contends that these methods are

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enabled by the subject specification and that therefore, new claims 77-91 satisfy the requirements of 35 U.S.C. §112, first paragraph.

Rejection of Claims Under 35 U.S.C. §112, Second Paragraph

The Examiner rejected claims 65 and 69-76 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response to the Examiner's rejection, but without conceding the correctness thereof, applicant points out that claims 65 and 69-76 have been canceled. Thus, the rejection thereof is now moot.

In addition, applicant contends that new claims 77-91 satisfy the requirements of 35 U.S.C. §112, second paragraph, and that the bases of the Examiner's rejection are inapposite to the new claims.

Summary

In view of the remarks made herein, applicant maintains that the claims pending in this application are in condition for allowance. Accordingly, allowance is respectfully requested.

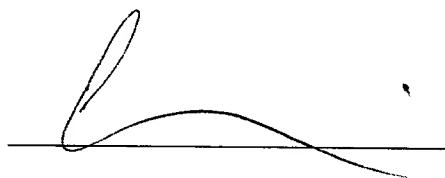
If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee, other than the enclosed \$ 465.00 fee for a three-month extension of time, is deemed necessary in connection with the

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filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
10/03 _____ Alan J. Morrison Reg. No. 37,399	10/03 _____ Date